

**REMARKS*****Pending claims***

Through this Amendment, claims 14 and 16 have been canceled and claims 1-3, 5-7, 9, 12, and 13 have been amended to more clearly point out and distinctly claim the invention. These amendments do not contain new matter and are fully supported by the specification. For example, supports for the phrases “mechanical features which allow the one or more centered optical zones being aligned with the true line of sight of the wearer while worn by the wearer” and “wherein the mechanical features are adjusted to maintain the centered optical zones substantially in line with the true line of sight of the wearer while worn by the wearer based upon use in the eye of the wearer and iteration of measurements and fitting process” can be found the 1<sup>st</sup> paragraph on page 4 and the paragraph bridging page 5 and 6. After these amendments are entered, fifteen (15) claims (claims 1-3, 5-10, 12, 13, 15, and 17) are pending.

***Rejection of Claims under 35 USC §103***

Claims 1, 2 and 5 were rejected under 35 USC §103(a) as being unpatentable over Payor et al. in view of Tanaka et al. This rejection is moot in view of the amendment of these claims. Specifically, both cited references, alone or in combination with each other, fail to disclose or suggest anything about mechanical features which allow the one or more centered optical zones being aligned with the true line of sight of the wearer while worn by the wearer. Applicants respectfully submit that the present invention as currently claimed is patentable over Payor et al in view of Tanaka et al., since the primary reference, alone or in combination with the secondary reference, does not disclose nor suggest all of the limitations of the present invention as currently claimed. Applicants respectfully request withdrawal of this rejection.

Claim 3 was rejected under 35 USC §103(a) as being unpatentable over Payor et al. in view of Tanaka et al. and further in view of Leiberman. Because claim 3 depends upon independent claim 1 which is allowable as discussed above, the dependent claim is narrower in scope and therefore is allowable. As such, the Examiner's rejection is respectfully traversed.

Claim 6 was rejected under 35 USC §103(a) as being unpatentable over Payor et al. in view of Tanaka et al. and further in view of Glady et al. Because claim 6 depends upon

independent claim 1 which is allowable as discussed above, the dependent claim is narrower in scope and therefore is allowable. As such, the Examiner's rejection is respectfully traversed.

Claims 7, 9, 10, 12-14, 16 and 17 were rejected under 35 USC §103(a) as being unpatentable over Blum et al. in view of Tanaka et al. The rejection over claims 14 and 16 is moot in view of cancellation of these two claims. The rejection over claims 7, 9, 10 and 17 is traversed for the following reasons.

Applicants submit that the primary reference (Blum et al.) does not disclose nor suggest anything about mechanical features which allow the one or more centered optical zones being aligned with the true line of sight of the wearer while worn by the wearer. The secondary reference (Tanaka et al.) fails to fill the gap left by the primary reference. Therefore, Applicants respectfully submit that the present invention as currently claimed is patentable over Blum et al in view of Tanaka et al., since the primary reference, alone or in combination with the secondary reference, does not disclose nor suggest all of the limitations of the present invention as currently claimed. Applicants respectfully request withdrawal of the rejection under 35 USC 103(a) over claims 7, 9, 10 and 17.

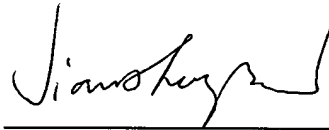
Claims 8 and 15 were rejected under 35 USC §103(a) as being unpatentable over Blum et al. in view of Tanaka et al. and further in view of Glady et al. Because claim 8 depends upon independent claim 7 which is allowable as discussed above, the dependent claim is narrower in scope and therefore is allowable. Similarly, claim 15 depends upon independent claim 13 which is allowable as discussed above, the dependent claim is narrower in scope and therefore is allowable. As such, the Examiner's rejection is respectfully traversed.

### **CONCLUSION**

In view of the foregoing and in conclusion, Applicants submit that the pending claims are now in conditions for allowance. Applicants request reconsideration and withdrawal of the rejections set-forth in the Office Action.

Should the Examiner believe that a discussion with Applicants' representative would further the prosecution of this application, the Examiner is respectfully invited to contact the undersigned. Please address all correspondence to Robert Gorman, CIBA Vision, Patent Department, 11460 Johns Creek Parkway, Duluth, GA 30097. The Commissioner is hereby authorized to charge any other fees which may be required under 37 C.F.R. §§1.16 and 1.17, or credit any overpayment, to Deposit Account No. 50-2965.

Respectfully submitted,



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